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Attorney for Defendant
MICHAEL TSAN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

—000—

UNITED STATES OF AMERICA,
Plaintiff,

CR. 10-70333-MAG

vs.

**STIPULATION AND ~~PROPOSED~~
ORDER TO CONTINUE DATE
FOR PRELIMINARY HEARING**

MICHAEL TSAN,
Defendant.

Defendant MICHAEL TSAN, by and through his counsel of record Randy Sue Pollock, and Assistant U.S. Attorney William Frentzen hereby stipulate and agree that the preliminary hearing presently set for Friday, June 11, 2010 be continued to June 28, 2010 at 9:30 a.m.

The parties desire additional time to discuss potential charges in this case. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension. Defendant also agrees to exclude for this period of time any time limits applicable under 18 U.S.C. Section 3161. The parties represent that the continuance is the reasonable time necessary for continuity of defense

**Stipulation and ~~Proposed~~ Order to
Continue Date for Preliminary Hearing**

counsel and effective preparation of counsel, taking into account the exercise of due diligence. 18 U.S.C. Section 3161(h)(8)(B)(iv). The parties also agree that the ends of justice served by granting such a continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. Section 3161(h)(8)(A).

Date: June 8, 2010

/s/
Randy Sue Pollock
Counsel for Defendant
Michael Tsan

Date: June 8, 2010

/s/
William Frentzen
Assistant United States Attorney

For the reasons stated above, the Court hereby continues the hearing from June 11, 2010 to June 28, 2010. The Court further finds that an exclusion of time from June 11, 2010 through June 28, 201 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. See 18 U.S.C. Section 3161(h)(8)(A). The failure to grant the requested continuance would deny the defendant continuity of counsel and would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. Section 3161(h)(8)(B)(iv).

SO ORDERED.

Date: 06/08/10

